


SEP 21 2012

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DONELL J. BLOUNT, SR.,

Plaintiff,

v.

LT. DELMER TATE, et al.,

Defendants.

Civil Action No. 7:11CV00091

ORDER

By: Hon. Glen E. Conrad
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The magistrate judge's report and recommendation is **ADOPTED IN PART AND REJECTED IN PART**;
2. The defendants' motion for summary judgment is **GRANTED IN PART AND DENIED IN PART**; and
3. The case will proceed to trial on the plaintiff's remaining claim against defendants Davis and Boyd.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and all counsel of record.

ENTER: This 21st day of September, 2012.



Chief United States District Judge